

## **REMARKS**

In this Amendment and Response, grammatical mistakes have been corrected in the Specification, and:

Claims 1 to 20 are pending as originally filed;

Claims 1 to 20 have been rejected, and

Claim 17 and 18 have been amended.

Claims 21 to 39 have been added.

### **A. Amendments to the Description**

Paragraph 0150 is new, and summarizes the special, technical features of the invention that provide unity of invention. These special, technical features are described in detail in paragraphs 06, 010, 015, and 041-045.

The amendments to the Description do not go beyond the scope of the as-filed Application.

### **B. Amendments to the Claims**

Claim 21 is new, and is expressly supported by paragraph number [0127] of the Specification.

Claim 22 is new, and is expressly supported by paragraph number [0127] of the Specification.

Claim 23 is new, and is expressly supported by paragraph number [0132] of the Specification.

Claim 24 is new, and is expressly supported by paragraph number [0136] of the Specification.

Claim 25 is new, and is expressly supported by paragraph number [0138] of the Specification.

Claim 26 is new, and is expressly supported by paragraph number [0138] of the Specification.

Claim 27 is new, and is expressly supported by paragraph number [0138] of the Specification.

Claim 28 is new, and is expressly supported by paragraph number [0143] of the Specification.

Claim 29 is new, and is expressly supported by paragraph number [0143] of the Specification.

Claim 30 is new, and is expressly supported by paragraph number [0143] of the

Specification.

Claim 31 is new, and is expressly supported by paragraph number [0145] of the Specification.

Claim 32 is new, and is expressly supported by paragraph number [0149] of the Specification.

Claim 33 is new, and is expressly supported by paragraph number [0149] of the Specification.

Claim 34 is new, and is expressly supported by paragraph numbers [0106], [0120], and [0132] of the Description.

Claim 35 is new, and is expressly supported by paragraph numbers [0102], [0120], and [0132] of the Description.

Claim 36 is new, and is expressly supported by paragraph number [0099] of the Description.

Claim 37 is new, and is expressly supported by paragraph number [0100] of the Description.

Claim 38 is new, and is expressly supported by paragraph numbers [0099] and [0100] of the Description.

Claim 39 is new, and is expressly supported by paragraph number [0116] of the Description.

The amendments to the Claims do not go beyond the scope of the as-filed application.

### **C. New Abstract**

An Abstract has been provided, as requested in paragraph 3 of the Office Action.

### **D. Claims as indefinite under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph**

Applicant respectfully disagrees that claim 11 is indefinite under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, as asserted in paragraph 6 of the Office Action. The Examiner has taken the quoted phrase out of context. The complete phrase reads, “the flexible coupling portion ... is elongated to permit the elongated coupling portion to wrap around the coupling portion *side* ...” (emphasis added). Unlike a Z-fold system, all coupling portions and folds are on only one side of Applicant’s storage system. The elongated portion wraps around “the coupling portion side”, as described in Paragraph No. 26 of the Specification and as shown in Figure 10.

The word “and” has been replaced with “an” to correct inadvertent typing in line 1 of Claim 18, as suggested in paragraph 4 of the Office Action.

Claim 17 has been amended to define the “pouch mouth” as “formed by the pouch lips of a given pouch”, in response to paragraph 6 of the Office Action. The phrase “the insert” has been amended to read “an insert”, in response to paragraph 6 of the Office Action.

#### **E. Rejection under 35 U.S.C. § 102(b)**

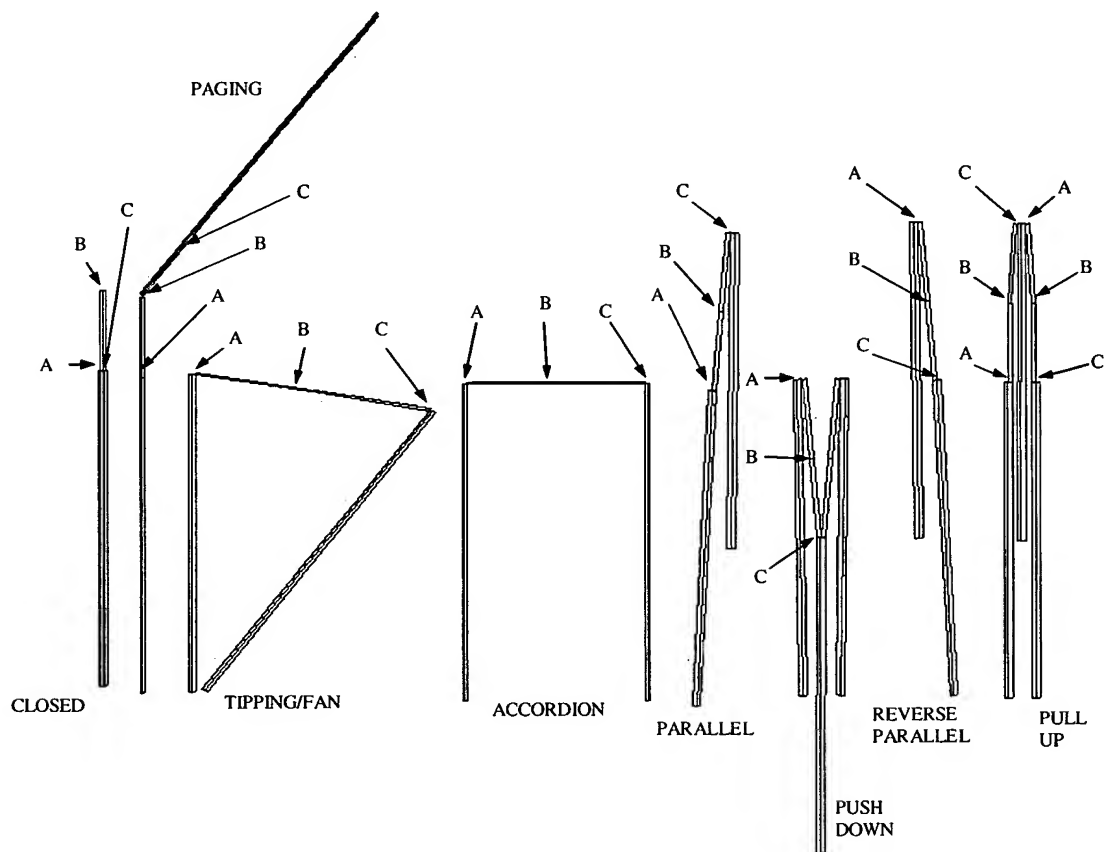
Claims 1, 2, 8, 10, 11, 13, 15, 16, 19, and 20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Morton (Des. 336,367). Morton’s invention is a chain of fastened plate holders. The “pockets” of Morton’s invention can hold only planar solids, i.e., plates. A fastener, and specifically the fastening means used in Morton, is not structurally or functionally a flexible coupling portion. The term “*flexible*” is given meaning by the “hinge positions”, i.e., relationships of the structural elements called “manipulations”, enabled by the coupling portion, as stated in Claim 1: “... two or more pouches, joined sequentially pouch-lip to pouch-lip by a flexible coupling portion, *wherein each coupling portion flexes to permit manipulation* of the joined set of pouches.”

“There is nothing inherently wrong with defining some part of an invention in functional terms. Functional language does not, in and of itself, render a claim improper.” MPEP 2173.05(g).

“Coupling portion” is a defined term:

“A “coupling portion” means the span of flexible material extending from a rear pouch-lip of a first pouch to the front pouch-lip of the next pouch in a series of pouches. The junction of a coupling portion and a pouch-lip is called a pouch-lip “hinge”. The hinge formed by the coupling portion and the rear wall at the rear pouch-lip is defined as hinge A 16. The hinge formed by the coupling portion and the rear wall at the rear wall is defined as hinge A. Similarly Hinge C 26 is on the front wall. The material between hinges A and C provides a hinging or sliding (if very flexible material) between adjacent pouches. The approximate midpoint of the coupling portion between hinges A and C is defined as the “hinge B” 18 and is parallel to nearest pouch-lips. The hinge B angle is the angle formed by the coupling portion referenced at hinge B. The hinge B angle is “open” where the two arms of the coupling portion are at approximately 180 degrees, “closed” where the two arms of the coupling portion are at approximately 0 degrees, and “half open” where the two arms of the coupling portion are at approximately 90 degrees to one another. The

hinge A or C angle is “open” where the proximate wall and the proximate portion of the coupling portion, with the relevant hinge as the vertex of the angle, are at approximately 180 degrees, “closed” where the proximate wall and the proximate portion of the coupling portion are at approximately 0 degrees, and “half open” where the proximate wall and the proximate portion of the coupling portion are at approximately 90 degrees to one another. The different modes of manipulation of chained pouches can be defined by the positional angles of the hinges.” Para. [011] lns. 13-19.



Morton has no coupling portion or hinges. Hinges permit open and closed configurations and the various manipulations of the Navickas invention. Hinges A, B, and C are essential structural elements of the Navickas invention.

“While features of an apparatus may be recited either structurally or functionally, claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function. .... Even if the prior art device performs all the functions recited in the claim, the prior art cannot anticipate the claim if there is any structural difference.” MPEP 2114.

Morton lacks hinges A, B, and C, or equivalents, integral cover, and sealed pouch mouths, as summarized in the following table:

Structural element	Morton	Navickas
Flexible coupling portion	No	Yes
Hinge A	No	Yes
Hinge B	No	Yes
Hinge C	No	Yes
Seal on sides	??	Yes
Integral system cover	No	Yes
Seal on pouch mouths	No	Heat-welded option

Because Morton has different structural elements than the Navickas invention, and lacks essential structural elements and functionality of the Navickas invention, therefore Morton cannot anticipate the Navickas invention.

Claims 1, 17, 19, and 20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Vogt (US 2,715,493). Vogt's invention is a chain of mailing envelopes. As noted above, the term "coupling portion" requires the presence of hinges A, B, and C. Hinges A, B, and C are essential structural elements of the Navickas invention. Vogt lacks hinges A, B, and C, or equivalents, integral cover, and sealed pouch mouths, as summarized in the following table:

Structural element	Vogt	Navickas
Flexible coupling portion	No	Yes
Hinge A	No	Yes
Hinge B	No*	Yes
Hinge C	No	Yes
Seal on sides	Yes	Yes
Integral system cover	No	Yes
Sealed pouch mouth	No	Heat-welded option

\* Figure 4 of Vogt shows an embodiment that has a line 25 for severing the chain of envelopes, but line 25 is not a hinge. A hinge is defined by both its structure

and its function. The only meaning of line 25 in Figure 4 disclosed in Vogt is as a place to cut (col. 4, ln. 14, “tear line”).

Moreover, there is no indication that strip 23 in Vogt is flexible, and Vogt has more structural elements, e.g, adhesive strips 24, flaps 3, 13, 23, 33, side crease 25. and gusset 12, than the Navickas invention.

Vogt has different structural elements than the Navickas invention, lacks essential structural elements of the Navickas invention, and lacks the functionality of the Navickas invention, therefore Vogt cannot anticipate the Navickas invention.

Claims 1, 2, 11, 12, 13, 15, 16, 19, and 20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Frankeny (US 6,419,082). Frankeny’s invention is a Z-fold chain of media storage pockets. The pockets of Frankeny’s invention can hold only planar solids. The Z-fold chain of Frankeny’s invention is a structure with sequential openings that face in opposite directions along the longitudinal axis of the chain (see Frankeny, col. 2, ln. 17-21). Were Frankeny’s invention manipulated like the Navickas invention, half of the contents in the pockets of Frankeny’s invention would fall out; Frankeny’s invention cannot provide the functionality of the Navickas invention.

As noted above, the term “coupling portion” requires the presence of hinges A, B, and C. Hinges A, B, and C are essential structural elements of the Navickas invention. Frankeny lacks hinges A and C, or equivalents, integral cover, and sealed pouch mouths, as summarized in the following table:

Structural element	Frankeny	Navickas
Flexible coupling portion	No	Yes
Hinge A	No	Yes
Hinge B	Yes	Yes
Hinge C	No	Yes
Sealed sides	No	Yes
Integral system cover	No	Yes
Sealed pouch mouth	No	Heat-welded option

“Manipulation” is a defined term. Frankeny does not provide the full set of manipulations provided by the Navickas invention (half of the inserts would fall from the pockets of the Frankeny invention during manipulation), as summarized in the following table:

Possible manipulations	Frankeny	Navickas
Closed	Yes	Yes
Accordion	No	Yes
Fan	Yes	Yes
Paging	No	Yes
Parallel	No	Yes
Partial accordion	No	Yes
Tipping	Yes	Yes
Pull up	No	Yes
Push down	No	Yes
Reversed	Some	All

Frankeny's invention uses separately cut out tabs that are fastened, tab to tab, to create pockets with one seamed or hinged side and three open sides (except for side tabs), which increases the cost of manufacturing. Pockets that hold only planar solids, like those in Frankeny's device, cannot dispense medications (e.g., pills, powders, syrups, injectables). The walls of the Frankeny invention are slit, which further compromises the ability of the Frankeny invention to dispense medication. The width of a pocket in Frankeny's device changes depending on whether the chain is opened or closed position; in the closed position, tabs protrude from the sides of the pockets, which impairs its utility in an automated system. Finally, the latches 907, 915, hard case halves 904, 912, and mounts 903, 910 add structural elements not found in the Navickas invention.

Frankeny has different structural elements than the Navickas invention, lacks essential structural elements of the Navickas invention, and lacks the functionality of the Navickas invention, therefore Frankeny cannot anticipate the Navickas invention.

Claims 1-7, 11-16, and 18-20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Henkel (US 4,762,225). Henkel's invention is a Z-fold chain of partial pockets 38, each partial pocket is about one-third the height of substrate 42; the Z-fold chain has alternate air cushion sections and partial pocket sections. Henkel's invention cannot provide the storage density or functionality of the Navickas invention. At least half the volume of Henkel's device comprises air cushion sections and substrates, both of which elements are not found in the Navickas invention.

As noted above, the term “coupling portion” requires the presence of hinges A, B, and C. Hinges A, B, and C are essential structural elements of the Navickas invention. Henkel lacks hinges A, B, and C, or equivalents, integral cover, and sealed pouch mouths, as summarized in the following table:

Structural element	Henkel	Navickas
Flexible coupling portion	No	Yes
Hinge A	No	Yes
Hinge B	Yes	Yes
Hinge C	No	Yes
Integral system cover	No	Yes
Sealed pouch mouth	No	Heat-welded option

“Manipulation” is a defined term. Henkel does not provide the full set of manipulations provided by the Navickas invention, as summarized in the following table:

Possible manipulations	Henkel	Navickas
Closed	Yes	Yes
Accordion	No	Yes
Fan	Yes	Yes
Paging	Yes	Yes
Parallel	No	Yes
Partial accordion	No	Yes
Tipping	Yes	Yes
Pull up	No	Yes
Push down	No	Yes
Reversed	Some	All

The structural elements of Henkel’s invention include extensible side portions, substantially rigid substrates sealed with sleeves, a single hinge in the coupling portion, short pockets and long pockets, and separate cover (there is no description of operation of the chain without the cover),



all of which structural elements are not found in the Navickas invention (and also increase the complexity and therefore cost of manufacturing). Pockets that hold only planar solids, like those in Henkel's device, cannot dispense medications (e.g., pills, powders, syrups, injectables). No provision is disclosed or suggested for creating hermetically sealed pouches required for general dispensing or for detaching any pockets from the chain. The Henkel invention is inherently incapable of dispensing single sealed packages.

Henkel does not disclose or suggest a divider to double the storage of a given pocket, to provide scratch resistance with back-to-back storage, and/or to provide usefulness of reversible modes of storage and display.

With respect to Navickas claim 11, two hook and loop fasteners on a fan-fold cover, actually a separate case for the entire system, cannot provide the hermetically sealed storage required for medication; storage of the entire chain system in the case greatly impairs dispensing of the medication in a single pocket. Sealing a single pocket in a chain system is not inherent in placing an entire chain system in a case; the pockets of the Henkel system are designed only for unsealed, planar solids.

With respect to Navickas claim 14, the air layers/cushions of the Henkel invention are not structurally equivalent to a divider. By definition, a divider separates a pouch into two usable storage compartments. The lower air layer compartments of the Henkel device are not usable storage space; the integral sleeve functions as the back wall of the upper surface pockets. No opening of the rear of the air cushion section is disclosed or shown. The air cushion section provides only a single storage space, the full pocket, without division of the air cushion section into front and rear pockets.

With respect to Navickas claim 18, Henkel does not disclose or show any additional containment pockets on the exterior of any pocket. The short pocket and the long pocket in Henkel's invention are always in separate folds or sections. Mere proximity in the closed position does not mean the short pocket will migrate to become affixed to the front surface of the long pocket.

Henkel has different structural elements than the Navickas invention, lacks essential structural elements of the Navickas invention, and lacks the functionality of the Navickas invention, therefore Henkel cannot anticipate the Navickas invention.

#### **D. Rejection under 35 U.S.C. § 103(a)**

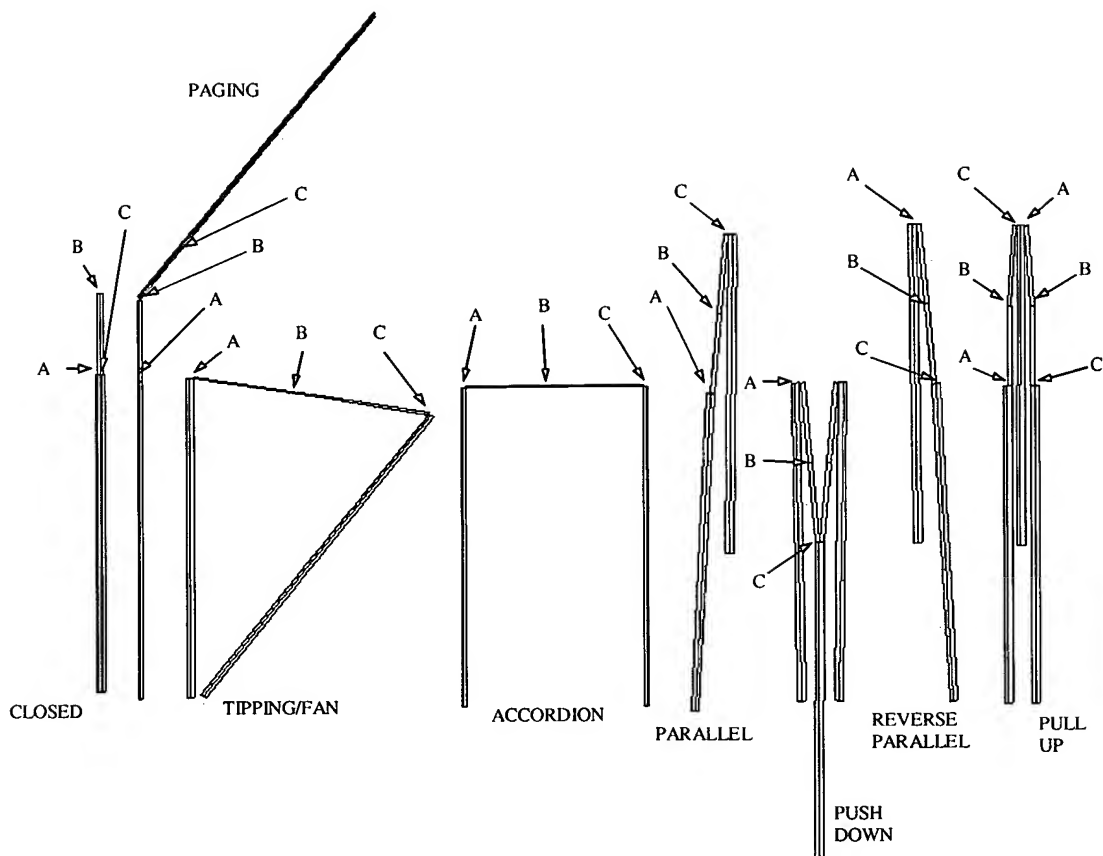
Claims 3-7 have been rejected under 35 U.S.C. § 103(a) as being rendered obvious by Frankeny (US 6,419,082). Claims 3-7 are dependent on claim 1, which reads,

A storage system, comprising:

two or more pouches, joined sequentially pouch-lip to pouch-lip by a flexible coupling portion, wherein each coupling portion flexes to permit manipulation of the joined set of pouches.

“Coupling portion” is a defined term:

“A “coupling portion” means the span of flexible material extending from a rear pouch-lip of a first pouch to the front pouch-lip of the next pouch in a series of pouches. The junction of a coupling portion and a pouch-lip is called a pouch-lip “hinge”. The hinge formed by the coupling portion and the rear wall at the rear pouch-lip is defined as hinge A 16. The hinge formed by the coupling portion and the rear wall at the rear wall is defined as hinge A. Similarly Hinge C 26 is on the front wall. The material between hinges A and C provides a hinging or sliding (if very flexible material) between adjacent pouches. The approximate midpoint of the coupling portion between hinges A and C is defined as the “hinge B” 18 and is parallel to nearest pouch-lips. The hinge B angle is the angle formed by the coupling portion referenced at hinge B. The hinge B angle is “open” where the two arms of the coupling portion are at approximately 180 degrees, “closed” where the two arms of the coupling portion are at approximately 0 degrees, and “half open” where the two arms of the coupling portion are at approximately 90 degrees to one another. The hinge A or C angle is “open” where the proximate wall and the proximate portion of the coupling portion, with the relevant hinge as the vertex of the angle, are at approximately 180 degrees, “closed” where the proximate wall and the proximate portion of the coupling portion are at approximately 0 degrees, and “half open” where the proximate wall and the proximate portion of the coupling portion are at approximately 90 degrees to one another. The different modes of manipulation of chained pouches can be defined by the positional angles of the hinges.” Para. [011] lns. 13-19.



As noted above, the term “coupling portion” requires the presence of hinges A, B, and C. Hinges A, B, and C are essential structural elements of the Navickas invention. Frankeny lacks hinges A and C, or equivalents, as summarized in the following table:

Structural element	Frankeny	Navickas
Flexible coupling portion	No	Yes
Hinge A	No	Yes
Hinge B	Yes	Yes
Hinge C	No	Yes
Sealed sides	No	Yes
Integral system cover	No	Yes
Sealed pouch mouth	No	Option

“Manipulation” is a defined term. Frankeny does not provide the manipulation provided by the Navickas invention (half of the inserts would fall from the pockets of the Frankeny invention during manipulation), as summarized in the following table:

Possible manipulations	Frankeny	Navickas
Closed	Yes	Yes
Accordion	No	Yes
Fan	Yes	Yes
Paging	No	Yes
Parallel	No	Yes
Partial accordion	No	Yes
Tipping	Yes	Yes
Pull up	No	Yes
Push down	No	Yes
Reversed	Some	All

Frankeny does not disclose, imply, or suggest the structure and limitations of claim 1 of Navickas, and therefore cannot render Navickas claim 1 obvious. If Frankeny does not render claim 1 obvious, Frankeny cannot render dependent claims 3 to 7 obvious.

Claims 8 and 9 have been rejected under 35 U.S.C. § 103(a) as being rendered obvious by Henkel (US 4,762,225) in view of Saetre (US 4,502,596). Claims 8 is dependent on claim 1, and claim 9 is dependent on claim 8 and indirectly dependent on claim 1. Claim 1 reads,

A storage system, comprising:

two or more pouches, joined sequentially pouch-lip to pouch-lip by a flexible coupling portion, wherein each coupling portion flexes to permit manipulation of the joined set of pouches.

Henkel’s invention is a Z-fold chain of partial pockets 38, each partial pocket is about one-third the height of substrate 42; the Z-fold chain has alternate air cushion sections and partial pocket sections. Saetre’s invention is a game cartridge carrier that has hinged panels, is limited to storage of rectangular articles, and provides absolutely no manipulation. The handles of a Saetre device are attached to the chain and are not an integral part of it.

For the combination of Henkel and Saetre to render claims 8 and 9 obvious, Henkel and Saetre must also render independent claim 1 obvious. See the discussion in the immediately preceding section on Frankeny of the defined terms “flexible coupling portion” and “manipulation” used in claim 1.

Henkel and Saetre does not disclose, imply, or suggest the structure and limitations of claim 1 of Navickas, and therefore cannot render Navickas claim 1 obvious. If Henkel and Saetre do not render claim 1 obvious, Henkel and Saetre cannot render dependent claims 8 and 9 obvious.

Moreover, half of the contents of Henkel’s Z-fold system would fall out if the system were hung, and therefore there is an extremely strong motivation of someone skilled in the art (as well as of an ordinary consumer) **not to hang** a Henkel system,

Saetre’s handles 40, 41 are handles are not described as a hanging means for display and access. “A pair of handles 40, 41 ... are ... for convenient carrying and **hanging storage** of the pack 10 and cartridges 11.” Col. 2, ln 43-47 (emphasis added). The elastic band 38 is a binding cord, and only described as such, not a hanging means. “The band 38 is used to surround and hold the pack 10 in compact position, as shown in FIG. 2” Col. 2, ln 41-43. Saetre’s device is meant to be used on a horizontal support, e.g., spread on a table, not hung, for access and display. Hanging in a compact (closed) configuration makes display and access of pocket contents impossible. Hanging the chain, in Saetre, implies lack of display and access, not the opposite, as the Examiner asserts.

**The obviousness rejection cannot stand because the combination of the cited references is legally improper**

The need for specificity pervades the authority of the Examiner to reject claims based on obviousness and combined references. *See, e.g., In re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000) (“particular findings must be made as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination in the manner claimed”); *In re Rouffet*, 149 F.3d 1350, 1359, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998) (“even when the level of skill in the art is high, the Board must identify specifically the principle, known to one of ordinary skill, that suggests the claimed combination. In other words, the Board must explain the reasons one of ordinary skill in the art would have been motivated to select the references and to combine them to render the claimed invention obvious.”); *In re Fritch*, 972 F.2d 1260, 1265, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992) (the examiner can satisfy the burden of showing obviousness of the combination “only by showing some objective teaching in the prior art

or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references”).

The Examiner cannot rely on conclusory statements or a piece meal joining of the references (“Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide hanging means to the storage system of Henkel ‘225 as taught by Saetre ‘596 for convenient carrying and hanging of the storage system.”). *In re Sang Su Lee*, 277 F.3d 1338, 1342 (Fed. Cir. 2002) (“The examiner's conclusory statements that ‘the demonstration mode is just a programmable feature which can be used in many different device[s] ... by adding the proper programming software’ and that ‘another motivation would be that the automatic demonstration mode is user friendly and it functions as a tutorial’ do not adequately address the issue of motivation to combine. This factual question of motivation is material to patentability, and could not be resolved on subjective belief and unknown authority. It is improper, in determining whether a person of ordinary skill would have been led to this combination of references, simply to ‘[use] that which the inventor taught against its teacher.’” *W.L. Gore v. Garlock, Inc.*, 721 F.2d 1540, 1553, 220 USPQ 303, 312-13 (Fed. Cir. 1983)).

The references cited in the Office Action do not contain sufficient “teaching or suggestion to make the claimed combination and the reasonable expectation of success,” *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Without such teaching and expectation of success, express or clearly implied in the references, the Examiner has failed to establish *prima facie* obviousness. The rejection also lacks the necessary connection of the various elements required by *In re Kotzab*, 217 F.3d 1365, 55 USPQ2d 1313 (Fed. Cir. 2000).

Applicant has tried in vain to identify specific portions of the two cited references, or even implications in them, that would suggest the motivation or suggestion to combine them together as the Office Action has done. There is no express or implied suggestion or motivation in the cited references. The Examiner infers such motivation on no greater basis than a conclusory assertion that “it would have been obvious”, even though half the contents of a Henkel device would fall out if hung, and hanging is only used during storage in Saetre. The Examiner has not identified any express or implied suggestion or motivation to combine the references and has failed to meet the requirements of a *prima facie* showing of obviousness.

## NEWLY DISCOVERED RELATED ART

Applicant has discovered US patent no. 1,021,598, to Harrington, which may be material to patentability. An Informational Disclosure Statement is attached hereto. Harrington is addressed below from the standpoints of 35 USC 102 and 103.

Harrington does not anticipate Applicant's invention under 35 USC 102 since Applicant's invention has fewer structural elements. All embodiments of Harrington have a cover attached to the "intermediate portion" of the "chained receptacles." The covered embodiment of the Chained Pouches uses a longer coupling portion, not an additional element. All embodiments of Harrington have a pull strap (17), with optional pull loop (20) attached to the "chained receptacles." The Chained Pouches invention lacks a pull strap. The additional structural elements of Harrington means that Harrington cannot anticipate Applicant's invention, and also means that Harrington's invention is more expensive to manufacture. The cover in Harrington's invention prevents or impairs all modes of manipulation that involve an entire chain: the cover blocks the user's view of receptacle contents near the point of attachment of the cover, and there's no means of restraining the second chain of receptacles if the second chain is not being examined. By connecting the lower edges of all pouches, the pull strap prevents several important modes of manipulation available in the Chained Pouches invention, e.g., paging, and impairs other modes. Harrington's rear wall pouch-lip is always above the front wall pouch lip of a given pouch ("receptacle", in Harrington). Harrington's placement of pouch-lips compromises the reverse modes of manipulation. Harrington doesn't disclose or claim co-located pouch-lips on front and rear pouch walls (i.e., front and rear pouch walls of equal height). Harrington specifically claims, in claim 1, "a rear wall of greater height than the front wall", which materially different from, cannot anticipate, Applicant's invention. Claim 2 doesn't contain "rear wall higher" and "flexible ties connecting the lower edges" limitations of claim 1, but claim 2 is limited to the scope of disclosure, in which only "rear wall higher" embodiments are shown and disclosed. Claim 3 adds a cover attached to the middle of the chained receptacles.

Harrington does not render Applicant's invention obvious under 35 USC 103. Harrington lacks a hinge A. Harrington uses (p. 1, left col., lines 41-45) "a strip of flexible material (4)" along the edges of the "chained receptacles", which does not permit formation of a hinge A of the Chained Pouches invention, or the modes of manipulation that hinge A provides, e.g., paging, and impairs other modes. The following table compares the structural elements and manipulations of Harrington with those of Applicant's invention.

Structural element	Harrington	Navickas
Flexible coupling portion	Yes	Yes
Hinge A	No	Yes
Hinge B	Yes	Yes
Hinge C	Yes	Yes
Sealed on sides	Yes	Yes
Sealed pouch lips	No	Option
Dispensing	No	Option
Possible manipulations		
Closed	Yes	Yes
Accordion	No	Yes
Fan	No	Yes
Paging	No	Yes
Parallel	Yes	Yes
Partial accordion	No	
Tipping	No	Yes
Pull up	Partial	Yes
Push down	Partial	Yes
Reversed	No	All

Because Harrington lacks a hinge A, when opened partially, Harrington's chain is in a stepped accordion display. Harrington's invention cannot do a partial accordion manipulation without changing the registry of the bottoms of the pouches. Similarly tipping and fan manipulations are not possible. Only the first element can be pushed down individually; pushing down any other element requires it be accompanied by all preceding elements. Only the last element can be pulled up independently; pulling up any other element requires it be accompanied by all successive elements.

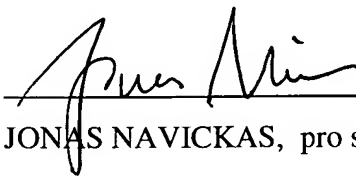


## Conclusion

Applicant respectfully submits that the rejections are improper and should be withdrawn in light of the Remarks and Amendments above. All pending claims are allowable, and Applicant respectfully solicits a notice to that effect. The Examiner is invited to contact Applicant if there are any questions relating to the subject application.

Respectfully submitted,

Date: November 12, 2005



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**IN THE DRAWINGS:**

Please replace Drawing sheets 1 to 9 with the attached Replacement Sheets 1 to 9 and New Sheet 10.